

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO: 05-10370PBS

BARBARA CORDI-ALLEN AND )  
JOHN ALLEN, )  
Plaintiffs, )  
)  
)  
VS. )  
)  
JOSEPH R. CONLON, ARTHUR F. HUTLIN, )  
NORMAN H. POPE, KEITH S. ALTHAUS, )  
And MARINNA MATRICARDI as they are )  
Members and collectively the TRURO )  
ZONING BOARD OF APPEALS AND THE )  
TOWN OF TRURO, MASSACHUSETTS, )  
AND BROOKE NEWMAN, )  
Defendants )

**JOINT MOTION TO RESCHEDULE  
PRETRIAL CONFERENCE**

Now comes the Plaintiffs and Defendants and jointly move to reschedule the pretrial conference scheduled for March 15, 2006. In support of the motion, Plaintiffs and Defendants state:

1. This matter involves a claim by the Plaintiffs that the Defendant Town of Truro violated their equal protection rights in the processing and decisions on various permit applications for their waterfront property and a claim by the Plaintiffs that the Truro Building Department improperly issued a building permit to the Defendant Brooke Newman.
2. The parties attempted mediation in the summer of 2005.
3. When those efforts failed, the parties engaged in discovery for which certain responses of the Plaintiffs were not completed by the discovery deadline.

4. On December 11, 2005, counsel for the Plaintiffs' home was destroyed by fire resulting in further delays to Plaintiffs' discovery responses.
5. Plaintiffs provided responses to document requests and interrogatories in early February, 2006
6. Depositions of the Plaintiffs are scheduled for March 17, 2006.
7. It is expected that the Town of Truro and/or Brooke Newman will file motions for summary judgment following completion of the depositions.
8. As such, this matter is not ready for a pretrial conference and trial may be avoided on some or all of the issues if summary judgment is granted.

Wherefore, the Plaintiffs and Defendants jointly move that the pre-trial conference scheduled for March 15, 2006, be cancelled and rescheduled for June, 2006, to allow time for completion of the depositions and the filing of summary judgment motions.

Respectfully Submitted,  
The Plaintiffs,  
Barbara Cordi-Allen and John  
Allen,  
By their attorneys,

/s/ Paul Revere, III  
Paul Revere, III, BBO# 636200  
Law Offices of Paul Revere, III  
297 North Street, Suite 336  
Hyannis, MA 02601  
(508) 778-7126

Respectfully submitted,  
The Defendants,  
Town of Truro, et al,  
By their attorneys,

/s/ Deborah I. Ecker  
Deborah I. Ecker, BBO# 554623  
Brody, Hardoon, Perkins & Kesten, LLP  
One Exeter Plaza  
Boston, MA 02116  
(617) 880-7100

Respectfully submitted,  
The Defendant,  
Brooke Newman,  
By her attorneys,

/s/ Julie Pruitt Barry  
Julie Pruitt Barry, BBO# 563018  
Nutter McClennen & Fish, LLP  
155 Seaport Blvd.  
Boston, MA 02210  
(617) 439-2000

DATED: March 14, 2006